

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 14TH SEPTEMBER 2007 / 23RD BHADRA 1929

WP(C).No. 18266 of 2007(Y)

AGAINST THE ORDER IN IA.2812/2006 IN
OPMV.1645/2000 of MOTOR ACCIDENT CLAIMS TRIBUNAL, PERUMBAVOOR

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PETITIONER:

JACOB ALIAS YACOB, S/O.KURIATH,
AREECKAL HOUSE, THURUTHISSERY,
MEKKADU P.O.

BY ADV. SRI.V.G.ARUN
SRI.JAIBY PAUL

RESPONDENTS:

1. THE MOTOR ACCIDENT CLAIMS TRIBUNAL,
PERUMBAVOOR.

2. UNITED INDIA INSURANCE COMPANY LTD.,
BRANCH OFFICE, METTUPALAYAM 641301.

BY GOVT. PLEADER SRI. SHYSON P. MANGUZHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 14/09/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WP(C) 18266/07

Appendix

Petitioner's Exts:

Ext.P1 true copy of the award in O.P.(MV) No.1645 of 2000 dated 14th October, 2005 of the Motor Accidents Claims Tribunal, Perumbavoor.

Ext.P2 true copy of the affidavit and petition in I.A.2812 of 2006 in O.P.(MV) No.1645/2000 dated 22.6.2006

M.N.Krishnan, J.

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W.P(C).No.18266 of 2007

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Dated this the 14th day of September, 2007.

JUDGMENT

This Writ Petition is filed seeking a direction to the M.A.C.T., Perumbavoor to dispose of Ext.P2 application. The writ petitioner is the claimant in O.P.(M.V.)No.1645 of 2000 and the Tribunal has awarded a compensation of Rs.93,350/- with interest. The grievance of the writ petitioner is that no amount is paid by the second respondent - Insurance Company and therefore he has moved an application for realisation of the amount by way of revenue recovery by addressing the District Collector. I feel that a direction should be given to the M.A.C.T. to consider Ext.P2 and pass appropriate orders in accordance with law unless there is a stay of the award by the superior court. The Tribunal shall also give a month's time to the Insurance Company to deposit the amount and on failure to deposit, may send the matter for revenue recovery.

Writ Petition is disposed of accordingly.

M.N.Krishnan,
Judge.